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**NOTICE OF PUBLIC HEARINGS**  
**SCHEDULED FOR SEPTEMBER 22 & 23, 2003**

Under the provisions of M.G.L. Ch 30A and pursuant to the authority found in M.G.L. Ch. 130 ss. 17A, 80, 100A and 104, Division of Marine Fisheries (DMF) and the Marine Fisheries Commission (MFC) have scheduled hearings on the following regulatory proposals. Contact DMF for draft regulations and further details.

**Marine Fisheries proposes the following regulatory changes to commercial and recreational lobster, limited-entry fishery permits, gear rules designed to protect northern right whales, commercial scup possession limits, commercial striped bass dealer measures and recreational haddock regulations (322 CMR 3.00, 6.00, 7.00, 8.00 & 12.00):**

1. **Commercial lobster permit holders:**
  - (a) would not be allowed to transfer permits between LCMAs. Federal lobster permit holders could have LCMA 3 in addition to either LCMA 1, 2 or OCC;
  - (b) in LCMA 1 would be regulated under a zero-tolerance v-notch definition. All other commercial and **noncommercial** lobster permit holders would be regulated by "a notch that is straight-sided triangular cut, without setal hairs, at least 1/4" in depth and tapering to a point";
  - (c) diving for lobsters would be required to measure all lobsters prior to surfacing, this would apply to non-commercial divers as well;
  - (d) could use solely trap tags to meet trap marking requirements (322 CMR 3.07);
  - (e) would have to purchase and install trap tags in traps by June 1;
  - (f) would have to locate escape vents "on the outside of the trap next to the bottom edge".
2. **Comments will be taken on the following emergency actions:**
  - (a) moratorium on lobster license transfers except between immediate family members;
  - (b) clarification of eligibility for letters of authorization;
  - (c) February 6, 2003 control date for issuance of new offshore lobster fishery permits;
  - (d) and moratorium on the issuance of new permits for the offshore lobster fishery except to those federal lobster permit holders not authorized for trap gear.
  - (e) lowering of recreational haddock minimum size from 23" to 21".
3. **Fixed gear rules to protect Northern right whales:**
  - (a) replace all references to "sinking" or "neutrally buoyant line" with "negatively buoyant line";
  - (b) eliminate 7/16" line from the Technology List of gear options.
4. **Trawlers would be permitted a 300-lb. scup limit from June 10<sup>th</sup> until the annual scup quota is reached except on no-fishing days of Friday and Saturday.**
5. **Upper Cape Cod Whiting Area:**
  - (a) extension of southern boundary to 42° latitude to complement recent federal changes; and
  - (b) extension of Sep. – Oct. fixed gear free zone southern boundary to 42° latitude.
6. **Commercial Striped Bass:**
  - (a) Any person would be prohibited from receiving during a first sale any striped bass unless permitted as a wholesale or retail dealer pursuant to 322 CMR 7.01. All persons involved beyond the first sale of striped bass shall furnish upon request of the Director or the Environmental Police purchase receipts documenting the sale of the fish.
  - (b) Person means any individual, firm, corporation, association, partnership, club, bar, restaurant, supermarket, food warehouse, or private body.
7. **Limited entry commercial permit holders would have until December 31 (instead of June 30) to renew their permits.**

**Two public hearings have been scheduled:**

Monday, September 22, 2003 (7PM) at the Gloucester High School (32 Leslie Johnson Rd.) and  
Tuesday, September 23, 2003 (7PM) at the Plymouth North High School (41 Obery St.).

Comments received by e-mail, fax or mail will be accepted until 5PM on Friday, September 26, 2003.

For further information please visit our website at [www.mass.gov/marinefisheries](http://www.mass.gov/marinefisheries).